

# SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY

## PRACTICE DIRECTION 4 OF 2018

### STANDARD SENTENCE DIRECTIONS


Unless the Court or the Registrar otherwise orders, the following standard directions are made and apply upon the listing of a matter for a sentence hearing:

1. A copy of any expert report to be relied upon must be served on the other party no later than 2 weeks prior to the sentence date.
2. The other party must notify the party relying on the expert report within 2 clear working days of receipt of the report:
  - (a) whether or not the expert is required for cross examination;
  - (b) if required, whether the expert is required to be present in person or by telephone;
  - (c) if appropriate, that the requirement for the expert will be withdrawn if the tendering party does not press specified parts of the expert's report.
3. A copy of the Crown Tender Bundle must be emailed to chambers and the Defence no later than 4 clear working days prior to the sentence date. If any documents are not available by this date (e.g. the PSR), it is to be noted on the bundle index that they will be provided later.
4. A hard copy of the Crown Tender Bundle must be tendered at the sentence hearing, subject to any objection.
5. A copy of any reports, statements or other documents to be relied upon by the Defence is to be emailed to chambers and the DPP no later than 2 clear working days prior to the sentence date.
6. A hard copy of the Defence documents must be tendered at the sentence hearing, subject to any objection.
7. Liberty is granted to the parties to file any written submissions (limited to not more than 5 pages). Any written submissions must be emailed to chambers (in Word or rich text format) and to the other party at the same time as each party's respective documents are emailed in accordance with paragraphs 3 and 5 above. A hard copy must be filed in court at the sentence hearing.

The "Crown Tender Bundle" will consist of:

- (a) a cover sheet which will detail
  - (i) the charges, including the legislation, section and sub-section;
  - (ii) the date of the plea of guilty;
  - (iii) the stage of the proceedings when the plea of guilty occurred;
  - (iv) the maximum penalties for each of the charges;
  - (v) the period already spent in custody in relation to the charges, specifying the actual dates of the period or periods in custody that the Crown says are "in relation to the charges" together with any other periods spent in custody since the offender was charged that the Crown does **not** concede were "in relation to the relevant charges"; and
  - (vi) an index for the documents in the bundle.
- (b) a bundle of documents, each tabbed and labelled, including (as applicable):
  - (i) the indictment or, if no indictment, the relevant charge sheets;
  - (ii) the agreed statement of facts;
  - (iii) any criminal history;
  - (iv) pre-sentence report;
  - (v) CADAS report; and
  - (vi) any other report (including an expert report) or statement to be relied upon by the Crown.

By direction of the Judges



Annie Glover  
Registrar  
18 September 2019

**Amendment history**

29 November 2018: Original practice direction  
18 September 2019: Paragraph 7 amended.